

ESTTA Tracking number: **ESTTA650090**

Filing date: **01/14/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	The Chamberlain Group, Inc.
Granted to Date of previous extension	01/14/2015
Address	845 Larch Avenue Elmhurst, IL 60126-1196 UNITED STATES
Attorney information	Joseph T. Nabor FITCH EVEN TABIN & FLANNERY, LLP 120 S. LaSalle Street Suite 1600 Chicago, IL 60603-3406 UNITED STATES trademark@fitcheven.com Phone: 312 577-7000

Applicant Information

Application No	86266034	Publication date	09/16/2014
Opposition Filing Date	01/14/2015	Opposition Period Ends	01/14/2015
Applicant	Somfy SAS 50 Avenue de Nouveau Monde 74300 Cluses, FRANCE		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Downloadable software, namely, an interface software app for mobile and handheld devices for use in remotely and locally accessing, operating and managing motorized components of home automation systems; Electronic plug-in modules comprising hardware and interface software for mobile and handheld devices for use in remotely and locally accessing, operating and managing motorized components of home automation systems

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4165481	Application Date	03/08/2011
Registration Date	06/26/2012	Foreign Priority	NONE

		Date	
Word Mark	MYQ		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2011/09/00 First Use In Commerce: 2011/09/00</p> <p>Power Controllers; Remote controls for doors or gates; Electric door opening and closing system; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks</p>		

U.S. Registration No.	4638156	Application Date	08/13/2013
Registration Date	11/11/2014	Foreign Priority Date	NONE
Word Mark	MYQ GARAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 2014/01/01 First Use In Commerce: 2014/01/01		

	<p>Electric door opening and closing system</p> <p>Class 009. First use: First Use: 2014/01/01 First Use In Commerce: 2014/01/01</p> <p>Power Controllers; Remote controls for doors or gates; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks</p>
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U.S. Registration No.	4666227	Application Date	03/31/2014
Registration Date	01/06/2015	Foreign Priority Date	NONE
Word Mark	MYQ		
Design Mark			
Description of Mark	<p>The mark consists of the letters "myq" with the "q" being slightly larger and in a bolder font with an image of a house in the middle of the "q" and three sound-waves radiating from the "q".</p>		
Goods/Services	<p>Class 007. First use: First Use: 2011/05/01 First Use In Commerce: 2011/05/01</p> <p>Electric door opening and closing system</p> <p>Class 009. First use: First Use: 2011/05/01 First Use In Commerce: 2011/05/01</p> <p>Power Controllers; Remote controls for doors or gates; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, of-</p>		

	fice and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks
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Attachments	85260793#TMSN.png(bytes) 86036566#TMSN.png(bytes) 86237617#TMSN.png(bytes) 134321 CGI v. Somfy SAS.pdf(674066 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Joseph T. Nabor/
Name	Joseph T. Nabor
Date	01/14/2015

6341-134321

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

The Chamberlain Group, Inc.,)	
)	
Opposer,)	
)	
v.)	
)	
Somfy SAS)	
)	
Applicant.)	
<hr style="width: 30%; margin-left: 0;"/>		
Serial No.: 86/266034)	
Filed: April 29, 2014)	
Mark: SOMFY MYLINK)	
Published: September 16, 2014)	

NOTICE OF OPPOSITION

The Chamberlain Group, Inc., a Connecticut corporation, located and doing business at 845 Larch Avenue, Elmhurst, Illinois 60126-1196 ("Chamberlain"), believes that it will be damaged by registration of the SOMFY MYLINK trademark Application No. 86266034, and hereby opposes the same on the following grounds:

COUNT I - TRADEMARK INFRINGEMENT


1. In Application Serial No. 86266034 Somfy SAS ("Applicant"), is seeking to obtain registration on the Principal Register for the mark SOMFY MYLINK for use on "Downloadable software namely an interface software app for mobile and handheld devices for use in remotely and locally accessing, operating and managing motorized components of home automation systems; Electronic plug-in modules comprising hardware and interface software for mobile and handheld devices for use in remotely and locally accessing, operating and managing motorized components of home automation systems."

2. Since at least as early as May 1, 2011, Chamberlain adopted and began using the mark MYQ for use on software and access control systems and related products which are and have been marketed in commerce throughout the United States.

3. On June 26, 2012, the United States Patent & Trademark Office registered on the Principal Register and issued Registration No. 4165481 for the mark MyQ for use on “Power Controllers; Remote controls for doors or gates; Electric door opening and closing system; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks.” A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 4165481 appears in Exhibit A. Said Registration is presently valid and subsisting and is now owned by Chamberlain and is *prima facie* evidence of Chamberlain's exclusive right to use said mark in commerce on the goods.

4. On November 11, 2014, the United States Patent & Trademark Office registered on the Principal Register and issued Registration No. 4638156 for the mark MyQ Garage for use

on “Electric door opening and closing system” in International Class 7 and “Power Controllers; Remote controls for doors or gates; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks” in International Class 9. A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 4638156 appears in Exhibit B. Said Registration is presently valid and subsisting and is now owned by Chamberlain and is *prima facie* evidence of Chamberlain's exclusive right to use said mark in commerce on the goods.

5. On January 6, 2015, the United States Patent & Trademark Office registered on the Principal Register and issued Registration No. 4666227 for the mark  for use on “Electric door opening and closing system” in International Class 7 and “Power Controllers; Remote controls for doors or gates; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely,

software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks.” in International Class 9. Said Registration is presently valid and subsisting and is now owned by Chamberlain and is *prima facie* evidence of Chamberlain's exclusive right to use said mark in commerce on the goods. A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 4666227 appears in Exhibit C.

6. Chamberlain is the owner of all right, title and interest in the foregoing Federal trademark registrations.

7. The aforesaid marks of Chamberlain have been promoted together and constitute the “MyQ” family of marks.

8. Applicant intends to use the SOMFY MYLINK trademark without the consent of Chamberlain and on information and belief with the intent to trade and capitalize on the goodwill generated by Chamberlain’s extensive and exclusive use of its “MyQ” family of marks.

9. Long prior to Applicant’s adoption and use of the SOMFY MYLINK mark, Chamberlain was actively engaged in interstate and foreign commerce in the business of manufacturing, distributing, advertising and software and access control systems and related products bearing the “MyQ” family of marks.

10. Chamberlain has expended millions of dollars in advertising and promoting its products and services, and has sold tens of thousands of dollars of products and services bearing the “MyQ” family of marks in the United States and throughout the world.

11. On information and belief, Applicant’s adoption of the SOMFY MYLINK trademark with full knowledge of Chamberlain’s use of the “MyQ” family of marks and Registrations therefore, at the time Applicant filed Application No. 86266034 for registration of the SOMFY MYLINK mark.

12. On information and belief, the earliest date of actual or constructive use for the goods specified in the subject application upon which the Applicant can rely is April 29, 2014, the filing date of the subject application.

13. On information and belief, Chamberlain’s priority in its “MyQ” family of marks and Registrations therefore are earlier than any priority that the Applicant can establish in its SOMFY MYLINK mark.

14. Based on the foregoing and upon information and belief, Applicant’s intended adoption, use, distribution, offer for sale, and sale of goods bearing the SOMFY MYLINK mark are likely to cause confusion, mistake or deception as to the origin of the goods among the relevant consuming public such that the public is likely to believe that Applicant’s products originate with Chamberlain, are licensed by Chamberlain, or are sponsored, authorized, endorsed, or are otherwise related to Chamberlain.

15. On information and belief, the goods for which Applicant seeks registration of the SOMFY MYLINK trademark are similar or related to the goods which Chamberlain distributes bearing the “MyQ” family of marks.

16. On information and belief the goods for which Applicant seeks registration of the SOMFY MYLINK mark are likely to be sold to the same customers or channels of trade to which Chamberlain sells its goods bearing the “MyQ” family of marks.

17. The Opposer and Applicant are competitors in many of the same markets.

18. If the Applicant is granted registration of its SOMFY MYLINK mark as shown in Application No. 862666034, the Applicant will thereby obtain the *prima facie* exclusive right to use the SOMFY MYLINK mark, and such registration of the SOMFY MYLINK mark will impair, diminish, and dilute Chamberlain’s goodwill and rights in its “MyQ” family of marks causing irreparable injury to Chamberlain.

COUNT II - FEDERAL TRADEMARK DILUTION

19. Paragraphs 1-18 are incorporated by reference herein.

20. Chamberlain has expended substantial monies in marketing, advertising and promoting its “MyQ” family of marks on its goods.

21. Chamberlain possesses extremely valuable goodwill in the “MyQ” family of marks by reason of its extensive use, marketing, publicity, advertising and geographic extent of its use and promotion. This goodwill was established long prior to the filing of this Application Serial No. 862666034.

22. Chamberlain has sold goods bearing the “MyQ” family of marks in excess of tens of thousands of dollars.

23. The “MyQ” family of marks are famous and distinctive within the meaning of the Lanham Act, and are entitled to the protection of the anti-dilution provisions of the Lanham Act, including 15 U.S.C. § 1125(c).

24. Applicant filed the Application No. 862666034 after the “MyQ” family of marks became famous and distinctive.

PRAYER FOR RELIEF

WHEREFORE, Chamberlain prays that this Opposition be sustained, that Application No. 86266034 be rejected, and that registration of the SOMFY MYLINK trademark for the goods specified therein be refused.

Date: January 14, 2015

Respectfully submitted,

By:



Joseph T. Nabor

Alisa C. Simmons

FITCH, EVEN, TABIN & FLANNERY, LLP

120 South LaSalle Street, Suite 1600

Chicago, Illinois 60603-3406

Telephone: (312) 577-7000

Attorneys for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing NOTICE OF OPPOSITION was served by first class mail, postage prepaid, upon:

Andrea Anderson
Holland & Hart LLP
P.O. Box 8749
ATTN: Trademark Docketing
Denver, Colorado 80201

on this 14th day of January, 2015.

FITCH, EVEN, TABIN & FLANNERY LLP



Joseph T. Nabor

Alisa C. Simmons

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120 South LaSalle, Suite 1600

Chicago, Illinois 60603

Telephone 312.577.7000

Facsimile 312.577.7007

Attorneys for Opposer

668181

Exhibit A



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MyQ

Word Mark MYQ

Goods and Services IC 009. US 021 023 026 036 038. G & S: Power Controllers; Remote controls for doors or gates; Electric door opening and closing system; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks. FIRST USE: 20110900. FIRST USE IN COMMERCE: 20110900

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85260793

Filing Date March 8, 2011

Current Basis 1A

1B

**Original
Filing Basis****Published
for
Opposition** July 26, 2011**Registration
Number** 4165481**Registration
Date** June 26, 2012**Owner** (REGISTRANT) The Chamberlain Group, Inc. CORPORATION CONNECTICUT 845 Larch Avenue
Elmhurst ILLINOIS 601261196**Attorney of
Record** JOSEPH T. NABOR**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICTIONARY](#)[SEARCH LOG](#)[TOP](#)[HELP](#)[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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For Serial Number: 85260793

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Web interface last modified: July 25, 2014 v.2.5

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United States of America

United States Patent and Trademark Office

MyQ

Reg. No. 4,165,481

Registered June 26, 2012

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

THE CHAMBERLAIN GROUP, INC. (CONNECTICUT CORPORATION)
845 LARCH AVENUE
ELMHURST, IL 601261196

FOR: POWER CONTROLLERS; REMOTE CONTROLS FOR DOORS OR GATES; ELECTRIC DOOR OPENING AND CLOSING SYSTEM; ELECTRONIC SECURITY DEVICES, NAMELY, ELECTRONIC CONTROLS FOR GRANTING ACCESS AND EGRESS THROUGH DOORS OR GATES; RADIO RECEIVER UNITS, RADIO TRANSMITTER UNITS, KEYPADS AND CARD READERS; ACCESS CONTROL SYSTEMS FOR PROVIDING, AND RESTRICTING ACCESS TO ELECTRONICALLY MONITORED AND SECURED ENCLOSURES; FACILITIES MANAGEMENT SOFTWARE, NAMELY, SOFTWARE TO CONTROL BUILDING ACCESS AND SECURITY SYSTEMS; HOME, OFFICE AND INDUSTRIAL AUTOMATION SYSTEMS COMPRISING WIRELESS AND WIRED CONTROLLERS, CONTROLLED DEVICES, AND SOFTWARE FOR LIGHTING, SECURITY, SAFETY AND OTHER HOME, OFFICE AND INDUSTRIAL MONITORING AND CONTROL APPLICATIONS; LIGHTING CONTROLS; COMPUTER HARDWARE; COMPUTER HARDWARE AND SOFTWARE SYSTEM FOR REMOTELY MONITORING CONTROLLING DEVICES WITHIN A BUILDING, FACILITY, GROUNDS, OR DESIGNATED SPATIAL AREA; COMPUTER HARDWARE AND COMPUTER PERIPHERAL DEVICES; COMPUTER HARDWARE AND SOFTWARE SYSTEMS FOR REMOTELY CONTROLLING LIGHTING DEVICES, ACCESS DEVICES, SECURITY DEVICES WITHIN A BUILDING OR BUILDING PERIMETER; SECURITY ALARM CONTROLLERS; SECURITY ALARMS; SECURITY CONTROL PANELS; SECURITY LIGHTS FOR OUTDOOR USE; SECURITY PRODUCTS, NAMELY, ENTRY DOOR SYSTEMS COMPRISING TOUCH PADS; ELECTRIC MONITORING APPARATUS, NAMELY, COMPUTER HARDWARE AND SOFTWARE USED TO TRANSMIT ELECTRONIC MESSAGES AND DATA VIA COMMUNICATIONS NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



FIRST USE 9-0-2011; IN COMMERCE 9-0-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-260,793, FILED 3-8-2011.

LESLEY LAMOTHE, EXAMINING ATTORNEY

David J. Kappas

Director of the United States Patent and Trademark Office

Exhibit B



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MyQ Garage

Word Mark MYQ GARAGE
Goods and Services IC 007. US 013 019 021 023 031 034 035. G & S: Electric door opening and closing system. FIRST USE: 20140101. FIRST USE IN COMMERCE: 20140101

IC 009. US 021 023 026 036 038. G & S: Power Controllers; Remote controls for doors or gates; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks. FIRST USE: 20140101. FIRST USE IN COMMERCE: 20140101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86036566

Filing Date August 13, 2013

Current Basis 1A
1B

**Original Filing
Basis****Published for
Opposition** December 17, 2013**Registration
Number** 4638156**Registration
Date** November 11, 2014**Owner** (REGISTRANT) The Chamberlain Group, Inc. CORPORATION CONNECTICUT 845 Larch Avenue
Elmhurst ILLINOIS 601261196**Attorney of
Record** Joseph T. Nabor**Prior
Registrations** 4165481**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GARAGE" APART FROM THE MARK
AS SHOWN**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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United States of America
United States Patent and Trademark Office

MyQ Garage

Reg. No. 4,638,156

Registered Nov. 11, 2014

Int. Cls.: 7 and 9

TRADEMARK

PRINCIPAL REGISTER

THE CHAMBERLAIN GROUP, INC. (CONNECTICUT CORPORATION)
845 LARCH AVENUE
ELMHURST, IL 601261196

FOR: ELECTRIC DOOR OPENING AND CLOSING SYSTEM, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 1-1-2014; IN COMMERCE 1-1-2014.

FOR: POWER CONTROLLERS; REMOTE CONTROLS FOR DOORS OR GATES; ELECTRONIC SECURITY DEVICES, NAMELY, ELECTRONIC CONTROLS FOR GRANTING ACCESS AND EGRESS THROUGH DOORS OR GATES; RADIO RECEIVER UNITS, RADIO TRANSMITTER UNITS, KEYPADS AND CARD READERS; ACCESS CONTROL SYSTEMS FOR PROVIDING, AND RESTRICTING ACCESS TO ELECTRONICALLY MONITORED AND SECURED ENCLOSURES; FACILITIES MANAGEMENT SOFTWARE, NAMELY, SOFTWARE TO CONTROL BUILDING ACCESS AND SECURITY SYSTEMS; HOME, OFFICE AND INDUSTRIAL AUTOMATION SYSTEMS COMPRISING WIRELESS AND WIRED CONTROLLERS, CONTROLLED DEVICES, AND SOFTWARE FOR LIGHTING, SECURITY, SAFETY AND OTHER HOME, OFFICE AND INDUSTRIAL MONITORING AND CONTROL APPLICATIONS; LIGHTING CONTROLS; COMPUTER HARDWARE; COMPUTER HARDWARE AND SOFTWARE SYSTEM FOR REMOTELY MONITORING CONTROLLING DEVICES WITHIN A BUILDING, FACILITY, GROUNDS, OR DESIGNATED SPATIAL AREA; COMPUTER HARDWARE AND COMPUTER PERIPHERAL DEVICES; COMPUTER HARDWARE AND SOFTWARE SYSTEMS FOR REMOTELY CONTROLLING LIGHTING DEVICES, ACCESS DEVICES, SECURITY DEVICES WITHIN A BUILDING OR BUILDING PERIMETER; SECURITY ALARM CONTROLLERS; SECURITY ALARMS; SECURITY CONTROL PANELS; SECURITY LIGHTS FOR OUTDOOR USE; SECURITY PRODUCTS, NAMELY, ENTRY DOOR SYSTEMS COMPRISING TOUCH PADS; ELECTRIC MONITORING APPARATUS, NAMELY, COMPUTER HARDWARE AND SOFTWARE USED TO TRANSMIT ELECTRONIC MESSAGES AND DATA VIA COMMUNICATIONS NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-2014; IN COMMERCE 1-1-2014.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.



Michelle K. Lee
Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,638,156 OWNER OF U.S. REG. NO. 4,165,481.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GARAGE", APART FROM THE MARK AS SHOWN.

SN 86-036,566, FILED 8-13-2013.

TRACY CROSS, EXAMINING ATTORNEY

Exhibit C



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Word Mark MYQ

Goods and Services IC 007. US 013 019 021 023 031 034 035. G & S: Electric door opening and closing system. FIRST USE: 20110501. FIRST USE IN COMMERCE: 20110501

IC 009. US 021 023 026 036 038. G & S: Power Controllers; Remote controls for doors or gates; Electronic security devices, namely, electronic controls for granting access and egress through doors or gates; Radio receiver units, radio transmitter units, keypads and card readers; Access control systems for providing, and restricting access to electronically monitored and secured enclosures; Facilities management software, namely, software to control building access and security systems; Home, office and industrial automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, security, safety and other home, office and industrial monitoring and control applications; Lighting controls; computer hardware; Computer hardware and software system for remotely monitoring controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware and computer peripheral devices; Computer hardware and software systems for remotely controlling lighting devices, access devices, security devices within a building or building perimeter; Security alarm controllers; Security alarms; Security control panels; Security lights for outdoor use; Security products, namely, entry door systems comprising touch pads; Electric monitoring apparatus, namely, computer hardware and software used to transmit electronic messages and data via communications networks. FIRST USE: 20110501. FIRST USE IN COMMERCE: 20110501

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

01.15.24 - Sound waves, including designs depicting sound

Search Code

07.01.04 - Detached house

07.01.07 - Huts; Outhouses; Sheds

27.03.05 - Objects forming letters or numerals

Serial Number

86237617

Filing Date

March 31, 2014

Current Basis 1A
Original Filing Basis 1A
Published for Opposition July 15, 2014
Registration Number 4666227
Registration Date January 6, 2015
Owner (REGISTRANT) The Chamberlain Group, Inc. CORPORATION CONNECTICUT 845 Larch Avenue
Elmhurst ILLINOIS 601261196
Attorney of Record Joseph T. Nabor
Prior Registrations 4165481
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the letters "myq" with the "q" being slightly larger and in a bolder font with an image of a house in the middle of the "q" and three soundwaves radiating from the "q".
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Assignments on the Web > Trademark Query

No assignment has been recorded at the USPTO

For Serial Number: 86237617

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.5
Web interface last modified: July 25, 2014 v.2.5

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United States of America

United States Patent and Trademark Office



Reg. No. 4,666,227
Registered Jan. 6, 2015
Int. Cls.: 7 and 9

THE CHAMBERLAIN GROUP, INC. (CONNECTICUT CORPORATION)
845 LARCH AVENUE
ELMHURST, IL 601261196

FOR: ELECTRIC DOOR OPENING AND CLOSING SYSTEM, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

TRADEMARK

FIRST USE 5-1-2011; IN COMMERCE 5-1-2011.

PRINCIPAL REGISTER

FOR: POWER CONTROLLERS; REMOTE CONTROLS FOR DOORS OR GATES; ELECTRONIC SECURITY DEVICES, NAMELY, ELECTRONIC CONTROLS FOR GRANTING ACCESS AND EGRESS THROUGH DOORS OR GATES; RADIO RECEIVER UNITS, RADIO TRANSMITTER UNITS, KEYPADS AND CARD READERS; ACCESS CONTROL SYSTEMS FOR PROVIDING, AND RESTRICTING ACCESS TO ELECTRONICALLY MONITORED AND SECURED ENCLOSURES; FACILITIES MANAGEMENT SOFTWARE, NAMELY, SOFTWARE TO CONTROL BUILDING ACCESS AND SECURITY SYSTEMS; HOME, OFFICE AND INDUSTRIAL AUTOMATION SYSTEMS COMPRISING WIRELESS AND WIRED CONTROLLERS, CONTROLLED DEVICES, AND SOFTWARE FOR LIGHTING, SECURITY, SAFETY AND OTHER HOME, OFFICE AND INDUSTRIAL MONITORING AND CONTROL APPLICATIONS; LIGHTING CONTROLS; COMPUTER HARDWARE; COMPUTER HARDWARE AND SOFTWARE SYSTEM FOR REMOTELY MONITORING CONTROLLING DEVICES WITHIN A BUILDING, FACILITY, GROUNDS, OR DESIGNATED SPATIAL AREA; COMPUTER HARDWARE AND COMPUTER PERIPHERAL DEVICES; COMPUTER HARDWARE AND SOFTWARE SYSTEMS FOR REMOTELY CONTROLLING LIGHTING DEVICES, ACCESS DEVICES, SECURITY DEVICES WITHIN A BUILDING OR BUILDING PERIMETER; SECURITY ALARM CONTROLLERS; SECURITY ALARMS; SECURITY CONTROL PANELS; SECURITY LIGHTS FOR OUTDOOR USE; SECURITY PRODUCTS, NAMELY, ENTRY DOOR SYSTEMS COMPRISING TOUCH PADS; ELECTRIC MONITORING APPARATUS, NAMELY, COMPUTER HARDWARE AND SOFTWARE USED TO TRANSMIT ELECTRONIC MESSAGES AND DATA VIA COMMUNICATIONS NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



Michelle K. Lee
Deputy Director of the United States
Patent and Trademark Office

FIRST USE 5-1-2011; IN COMMERCE 5-1-2011.

OWNER OF U.S. REG. NO. 4,165,481.

Reg. No. 4,666,227 THE MARK CONSISTS OF THE LETTERS "MYQ" WITH THE "Q" BEING SLIGHTLY LARGER AND IN A BOLDER FONT WITH AN IMAGE OF A HOUSE IN THE MIDDLE OF THE "Q" AND THREE SOUNDWAVES RADIATING FROM THE "Q".

SER. NO. 86-237,617, FILED 3-31-2014.

JANICE KIM, EXAMINING ATTORNEY